

**LYNDEBOROUGH BOARD OF SELECTMEN
MEETING MINUTES
September 15, 2010**

I. CALL TO ORDER

Chairman Brown called this meeting to order at 6:30 p.m. on Wednesday, September 15, 2010 in the large meeting room in Citizens' Hall.

Those persons present were as follows:

Members

Present: Steve Brown, Arnie Byam & Donnie Sawin

Staff

Present: Jim Bingham (Town Administrator), RA Perry, Officer Kevin Maxwell

Public

Present: Jessie Salisbury, William Beard, Caroline Crooker, Mike Decubellis, Linda & Donald Anderson, Carol McEntee

Media

Present:

Recorder: Kate Thorndike

I. Agenda Items

- 6:35 Appointment – Todd Haywood, Assessor
- 6:50 Meeting Updates – Primary Election report
- 7:00 Town Administrator Report:
 - Holden Engineering – Hazard Mit. Grants
 - Electrical work on Citizens Hall
 - E 911 house numbering
 - Health Officer – application, appointment papers.
- 7:15 Highway Dept. report
 - RR crossing @ Gulf Rd.
- 7:30 Citizens' Open Forum**
- 7:45 Old Business:
 - Hazard Mitigation Grants – Holden Proposal
 - Emergency Operations Plan - ESFs
 - PD Addition – CIP submission form
- 8:15 Non-Public RSA 91-A:3 II (a)
- 9:00 New Business:
- 9:20 Review & signing of warrants and documents

II. Adjournment 9:30

Appointment – Todd Haywood: Introduction

TH: Here to present the values to the BOS for their approval. Todd presented as required by law the USPAP Report which includes background, narrative and definitions. Statistics are the meat of the revaluation. *Overview of the process: Looked at the qualified sales from Jan. 08 through 2010. Roughly 25 sales, qualified...analyzed those sales with existing rates then adjusted tables with some trial and error to bring values back in line and then applied them to the rest of the town. Letters sent with new preliminary values and then dates for informal hearings.* Town's values went down about 12-13%. There were mostly property specific issues that came up. There wasn't really anything compelling to change overall strata of property. Not a lot changed through the hearings then I produced the manuals. Todd Haywood explained in more detail the specifics of average sales/average assessments/. The town is in compliance with state requirements. The town will be up for assessment review in 2013. **TH:** Much feedback through the process? **SB:** All in all there seemed to be no issue of serious complaint. **TH:** The bottom line number is \$170,000,000.00 including exempt.

Mike Decubellis: When I look at my tax card, I can't understand it. Do you think we could we put a key out front with the property tax cards? **TH:** You can print out the tables if you want or make .pdf for the website.

Meeting updates: Primary Election Report:

JS: 385 voters to be precise. **DS:** It was a little more time consuming with the administration of the voting due to some new requirements. Emergency light failure...**JB:** ACTION...I am scheduling Monadnock to go over there.

SB: Thank you to everyone.

Town Administrator Report: TA Bingham

Holden Engineering – Hazard Mitigation. Grants: I met with Holden on Friday and you have proposal letter in your packet. 2 grants; Pettingill and Johnson corner. Highly competitive and 75% of cost is paid by feds. Pettingill is higher on the radar due to DES involvement. However, Johnsons Corner has a history of repeat flooding which makes it a viable candidate. Kent and I will take care of the narrative and Holden will come up with the cost estimates and design. They will also act as a reviewer for the grant application to make sure it is as strong as possible. They are due on September 30th. Holden sees the deadline as doable on their end. Holden's expertise is critical.

Selectman Byam moved to authorize the \$1,900 expenditure with Holden Engineering for the two sites, Pettingill Hill and Johnson Corner. **Selectman Sawin** seconded the motion; so moved.

VOTE: Selectmen Brown, Byam and Sawin voted in favor, and Selectman Brown declared the motion to have carried unanimously (3-0).

Electrical work on Citizens Hall: Norman Day was here and placed 2 grounds in and also grounded the water supply coming in. Also, a second call from Mark Weissflogg re: technician coming in. He is coming in next week.

Mike Decubellis: I have equipment for measuring voltage that he is welcome to use.

Linda Anderson: Same computer problem that I had the last time there was a power failure. *Update on exactly what happened.*

E 911 house numbering: Ordinance information is online. PD has been given the go ahead on passing out the cards. At what point do we move it from educational awareness to some more formal enforcement? **SB:** Might be good to have something in the next Views. **AB:** Hand something out in the town office when people come in to register cars, etc. **DS:** I don't think the present cards are that useful. Carbon copy would help with follow up. **AB:** Could it be part of a Certificate of Occupancy from the Building inspector with new homes?

Health Officer – application, appointment papers:

Sharon Kinney is happy to be nominated as the Health Officer. Spoke with Jackie Smith about the Deputy position. She isn't quite sure about whether she is over committing herself. She is thinking about it.

FEMA Reimbursement:

Floods: March 16th and 30th. They accepted \$42,053 so we received...\$31,840. 75% back goes into the general fund.

Sprinkler system was inspected this week. It cost a few hundred dollars more because they had to change the anti freeze.

JB: you have a copy of contractor estimate from Joanne Woods's property. We can take that up next week.

Highway: KP: working on the RR on Gulf road. Raised the ramp approaches to the track. Put a new cement pad in between the rails. Finish that up tomorrow. Next project: New Road by Bob Rogers; shore up that whole section. I have the rented roller. We are working on the edging on Johnson Corner. Go up Mountain Road to grind up stumps with a grinding contractor.

Citizens' Open Forum

Linda and Donald Anderson, Carol McEntee were in attendance

Mike Decubellis: OK on chairs/tables for the dinner on Saturday? **KT:** Walter/Karen Holland and I set up the room today with seats for about 100.

Linda Anderson: Presented a petition last week and haven't heard anything about it. **SB:** Yes, I understand. I am not ignoring you and I commit in the next couple of weeks have a discussion. We have gotten some call logs and are reviewing the information. From a due

diligence perspective, I want to understand the facts. Kevin brought up a couple of concerns about leaving the cruiser here. We will all sit and discuss. **LA:** Will the public be invited to sit in? **SB:** Yes, unless any non public issues arise.

LA: I would like to present you with another 122 signature. This on-call/vehicle policy was in place, working fine and why did you suddenly decide to change?

SB: Some of it was NP and we have not always had someone on call. I won't commit that it gets reversed but we will reconsider the decision. I understand that there are a lot of people who are interested in it.

LA: Since the New Boston murder I'm not sure that you really understand how important security is to people...what you have done by taking this away? We do anticipate that this would be for serious need. If it is a cost savings idea then I would want to see how many dollars we are saving. I think there are other areas of greater concern that could be cost saving to the town.

Carol McEntee: Sometimes in the state of NH there are only two state troopers on duty at night in the state. So, if we have an incident here who knows where they'll be coming from or if they're already involved in another town? I was involved in an incident in a town that didn't have 24/7 PD coverage. It was a very benign ambulance call that we were responding to. To date my partner and I have been out of work for 16 weeks...medical bills are still mounting but the whole incident so far is in excess of \$100,000. We had to hold down a very combative patient for over 15 minutes before we had a police officer on scene. It was 25 minutes before the state police arrived. We could have been killed. To have someone on call for incidents like this in this town...and it will happen...it is safety.

DA: You might want to consider the savings that the town receives when this officer is traveling the roads into work. That is coverage that the town is receiving just for him to be coming to work in a marked cruiser where if he sees something he can do something about it.

JB: Just to clarify, Officer Maxwell does adjust his time cards to incorporate that patrol time when he is coming into and leaving from work. So, he is getting compensated.

CM: Does this have something to do with an Officer taking a cruiser home with them?

JB: Yes, I believe that is part of the equation as well the short staffing we face right now and possibly over extending the existing officers. **CM:** How so? **JB:** If you look at having two shifts a day/7days and week and you only have one full time and one part time officer that is a pretty rough schedule for them to cover.

CM: What does that have to do with taking home the cruiser? **JB:** Essentially, you have someone who is doing a double shift and then is on call on top of that. The concern is safety.

CM: If the concern is safety, if you have someone working a double or a call shift then at least they can take that cruiser home to sleep and still be able to respond in the cruiser. A lot of time is lost when an officer has to come in and change vehicles. **JB:** The Board is looking into possibly using the Hillsborough county Sheriff's office to cover some shifts on a per diem basis. If we have to make a choice what is the best choice for the town? We are working with the Officer in Charge, we are getting information and all that data is being collected now.

CM: Would the sheriffs dpt be here in town? **JB:** Yes, they would. **LA:** I would suggest that you check history on this as well. We have been working on building up our Lyndeborough Police Department. It is an unusual circumstance right now with the officers being deployed. One officer is coming back and we should be advertising for some part time

new officers. 122 people have stated that we want the Lyndeborough PD to provide our security and coverage in this town. **JB:** We just want to be sure that we are able to have full staffing in order to do that effectively. Officer Maxwell is working with the Board. We are actively working on getting advertising out to get qualified and certified officers to come in as part time officers. This is not something that we are sitting back on. **SB:** It is being worked jointly. **LA:** It may be being worked but again, the question is why? Why not review the data and then make a decision?

SB: It is not a matter of all of a sudden. There were a number of discussions leading up to this re: structuring the dpt, the relationship between the OIC and BOS, new roles and responsibilities, etc. Personally, from my previous experience I am overly sensitive to the cruiser going home, on call, wear and tear, fuel, how many calls, etc. I didn't anticipate all these signatures but there are obviously a lot of folks interested. I said we will take another look at it but these are emotional drivers...safety. There are more fact based factors as well that we need to plow through. A week or two and we'll see where that takes us. I'm not sure what you are asking for? I heard you and I got it. We're going to put it on the agenda again when we have additional data within a week or two.

LA: Feel that we have a good OIC. The towns people like him and like his attitude. He is willing to accept what the town gives him. We feel we have a good fit right now and don't want to rock the boat.

CM: I think the other police chief needs to be laid to rest. Kevin Maxell had nothing to do with that. To keep that implication going is detrimental to the town's safety and the PD. He lives about six miles away. He has the best interest of the town in mind. To be on call is not easy. It's not about the money. It's about the dedication. The wear and tear on the vehicle is just the cost of doing business. It is a drop in the bucket. To keep the town's people feeling safer, knowing that they don't have to depend on the State Police. **SB:** Let's be careful here, this conversation isn't about Kevin. It is anyone on call. **CM:** I understand. I'm just using him as an example.

DA: He is forfeiting a lot to the dedication to his job and this town. It is a tough decision. There are considerations to be made that shouldn't just be financial. How can you predict the numbers? I hear people in town asking...why are the BOS micro managing the PD? **SB:** Because in regard to the OIC role that is our job. We are the Administrators. I'm just telling you the perception that people have.

SB: Everyone has an opinion based on life experience and what they know and don't know.

LA: I would like to request a copy of the Town administrator's job description and if possibly his contract.

SB: Yes, the job description is public information. That's fine.

JB: I don't have a contract.

LA: There is no contract?

SB: No

Sally Curran: There was a Work Session on 9-7. My question is where was it posted?

JB: It was posted here and down at the Village Store. By law we need to post it in at least two places and whenever possible with 24 hours notice. If there is a last minute request for a work session you post as soon as possible.

SC: My next question would be; why are the minutes not available?

SB: I was the minute taker and some have been posted in draft form. I take the blame for that one. **SC:** My final question is; why when Jessie and I appeared to register voters that the Board went behind closed doors? Were you in a Non public session? **AB:** We were not in NP. It was just a Work Session. We went in the other room because you wanted the room. **SC:** Then the door shouldn't have been closed. **SB:** I wasn't here but I agree. **SC:** If you were the minute taker, how did you take the minutes? **SB:** I didn't for that meeting. **SC:** Who did and where are they? I came over this morning and the office didn't have them. **DS:** I did and they have them now. **SC:** So, it was not Non Public session? The appearance is not good when you close the doors. **SB:** I agree.

Mike Decubellis: Can I get a quick update on French Road?

JB: Good question. I need to get one as well. It is on my To Do list. **ACTION...**I will email the information to you when I get an answer.

MD: They haven't done any work? I read in meeting minutes that you were looking into whether they should be posting road bonds before working on it. **JB:** I don't have an answer for you. **MD:** As a member of the tax-paying public, that is a public road and you are at risk when you let a private citizen to mess around with it. In my opinion you should always ask for a bond.

Discussion over the French road issue...

JS: Going back on what Sally was talking about: The following morning I inquired as to where the notice was for the Tuesday night meeting. When it was pointed out to me, it was too high up and too small so with my poor eyesight, I couldn't read it. So, I didn't know it was posted because I couldn't see it. Therefore, it was inadequately posted.

SB: I hear you. Thank you all for input.

LA: PD addition? People might be interested in being part of the conversation or just coming in to listen. Maybe a "Selectmen's corner" in The Views....

Selectman Brown gave an overview of where the BOS is in that planning process...

Bill Beard: I am interested in a piece of town-owned property in Lyndeborough and we were asked to come back. Do you have any more information? I just want you to know that I'm still interested. **SB:** We did discuss it and one of the things we wanted to do was to find out exactly what the property was worth. Assessment amount/ reasonable minimum asking price? Posting bid, etc? If we don't talk about it tonight we will get it on the agenda next week. **WB:** I don't want to pressure the Board but is there some kind of timeline that you can provide? Can I get a personal notification of the property going up for bid? **SB:** Yes absolutely.

LA: I would suggest getting a realtor appraisal as well as the assessment.

Old Business:

PD Addition:

The Board, TA Bingham and Officer Maxwell discussed the timeline, direction and planning of the addition including the integration of the EOC into the building, whether or not the timing was right given the state of the economy, the overall project cost, RFP development, an article for the "Views", current relationship with Wilton PD, meeting with the Budget Committee and planning for future growth.

Kate Thorndike was excused from the meeting at 9:50

Non-public Session RSA 91-A: 3 II (a) Personnel

Selectman Byam moved to go into a non-public session regarding personnel under the provisions of Non-public Session RSA 91-A: 3 II (a). **Selectman Sawin** seconded the motion, so moved.

VOTE: Selectmen Brown, Byam and Sawin voted in favor, and Selectman Brown declared the motion to have carried unanimously (3-0).

The Board then went into nonpublic session, as recorded separately, at 9:55 p.m. The Board returned to public session at 10:50 p.m.

Selectman Donnie Sawin moved and Selectman Arnie Byam seconded that the Board of Selectmen seal the minutes from the just concluded Non-Public meeting. There being no further discussion, Chair Steve Brown called for the vote. Voting in favor: Selectmen Brown, Byam and Sawin. Chair Brown declared the motion carried.

BOARD OF SELECTMEN'S WORK SESSION

The Board reviewed documents pertaining to the operation of the Town, approving various items as listed below.

III. ADJOURNMENT

All scheduled items having been addressed, Selectman Brown moved to adjourn; Selectman Sawin seconded the motion.

VOTE: Chairman Brown called for a verbal vote on the motion. All members voted in favor.

Chairman Brown then declared the meeting to be adjourned at 11:00 p.m.

Date: September 15, 2010
Kate Thorndike, Recorder

Steven M. Brown, Chairman

Arnold A. Byam, III

Donald R. Sawin